

REMARKS

In the Office Action, a number of claims were rejected under 35 U.S.C. 112 first and second paragraph. More specifically, the Examiner cites, "wherein the video data is not integrated with the content of the web page" as not being supported by the specification as grounds for the first paragraph rejection. The Examiner agrees with the Applicant that the application discloses that video area 304 that is separate and distinct from areas of the web page that display non-video web page content such as advertisement 320 and other text 322. The Examiner argues that "video window 304 is part of the web pages 302's content...and thus integrated with all the other content within the webpage such as other content 322 and advertisement 320." For this reason, the Examiner argues, the phrase "wherein the video data is not integrated with the non-video content of the webpage" is unclear. The Applicant has amended the last limitation of claim 1 to remove the term "integrated" and to read "wherein the video data is provided and displayed separately from any non-video content of the web page," which more clearly describes the invention. It is clear from page 8, line 30, through page 9, line 9, of the Applicant's specification that the video is received on video line 207, which is separate from network connection 103, on which non-video content is received. Furthermore, since the format of the received video signal (for example, S-Video signals, composite signals, component signals, audio signals or HDTV signals) is different from the format of the instructions received on the network connection 103, it follows that the video content and the non-video content must be displayed separately. Accordingly, the Applicant believes that the claims as amended are supported by the specification and that the claims do particularly point out and distinctly claim the invention, and respectfully requests that the Examiner withdraw the 112 first and second paragraph rejections.

A number of claims were rejected under 35 U.S.C. 103 as being unpatentable over U.S. Patent 6,163,316 issued to Killian which describes an electronic guide that operates on a computing platform associated with a television in view of U.S. Patent 6,177,931 B1 issued to Alexander. More specifically, Fig. 1 of Killian shows a JAVA based platform 12 that provides a collection of application programming interfaces (APIs) that allow platform 12 to synchronize and integrate television signals and Internet information for display on television 40 (col.3, lines 15-25). A video source in the form of a recorder controller (18) and/or tuner/decoder (24) provides a video signal (28, 34) directly to one or more audio/video overlays 32, which are coupled to the platform 12 and coordinate the integration of television signals and Internet

information in accordance with the operation of the platform 12. The platform 12 retrieves the associated web page using Internet link 14 and audio/video overlays 32 integrating the web page, any appropriate VBI information received from the VBI decoder 28, and the television signal for the selected channel received from the tuner/decoder 24 according to the Java applet (col. 5, lines 20-30). Therefore, the system described by Killian requires that ALL video data must be integrated with one or more of the audio/video overlays 32 (i.e., non-video content such as text) prior to being sent for display on the television 40, since there is no direct signal between the tuner/decoder 24, for example, and the television 40. In this way, Killian only provides a display having non-video type information such as text, or Internet related information that is fully integrated with a TV signal in the form of, for example, an electronic programming guide (EPG) shown in Fig. 5, and does not teach or even remotely suggest having Internet related information received and displayed separately from video data (see above). In order to display video data separately on the display 40, there would have to be a direct link between the video decoder 24 and the television, which clearly there is not. More specifically, such data is only provided to the platform 12 by way of path 14, which is then fully synchronized and integrated with the video signal at audio/video overlays layer 32.

The Examiner also believes that Killian “inherently contains a PIP object and PIPinfo object which are utilized for the display and control of an EPG control panel” (page 7, first paragraph, of the instant Office Action). The Applicant respectfully disagrees since Killian never mentions the use of a separate window to control the EPG, “a viewer associated with television 40 selects a particular channel for viewing using input device 42...” (Killian, col. 4, lines 61-64).

The Examiner admits that, “Killian does not disclose the use of an applet where the video data is not integrated with the content of a web page,” i.e., where the video data is received and displayed separately from any non-video data (page 7, first paragraph of the instant Office Action) and therefore relies upon the Alexander reference to overcome this deficiency. Specifically, the Examiner refers to the “display 10 with a video window 12 in which the video is not integrated with the displayed EPG content” (page 7, first paragraph, of the instant Office Action). The Applicant respectfully disagrees, and would like to draw the Examiner’s attention to column 3, lines 2-8, which state “In FIG. 1, a television screen display 10 is shown. Display 10 could be generated by a conventional television receiver with interlaced scan lines, by a VCR, by a PC monitor with progressive scan lines, or by another type of video display device. In the upper left hand corner of the screen is a PIP window 12.” As can be seen, the PIP window 12 is generated as part of the display 10 using one of the listed mechanisms (e.g., a conventional

television receiver with interlaced scan lines, a VCR, a PC monitor with progressive scan lines, or another type of video display device), that is, both the video data and the non-video data is integrated, just like in Killian. Alexander therefore does not provide any further developments or advantages over Killian, and Killian in combination with Alexander cannot teach nor reasonably suggest the claimed limitation of "wherein the video data is provided and displayed separately from any non-video content of the web page," as required by amended claim 1. Additionally, referring to Fig. 3A of the application, the virtual control panel 310 is used to control the video area 304 in such a way that any changes to the video area 304 (such as brightness or contrast) cannot in turn affect the control panel 310, since they would adversely affect the ability of the user to view and otherwise use the control panel 310. If a reduction in brightness of the PIP window 12 were done in Alexander, for example, the whole display 10 would also be reduced in brightness. This fact merely reinforces the Applicant's belief that Alexander neither teaches nor suggests "wherein the video data is provided and displayed separately from any non-video content of the web page."

Independent claims 6, 7, 8, and 11 recite essentially the same scope as claim 1 and are therefore also allowable over the cited art for at least the reasons cited for claim 1. All dependent claims depend either directly or indirectly from claims 1, 6, 7, 8, and 11 and are therefore also allowable over the cited art.

The Examiner also rejected other claims under U.S.C. 103 as being unpatentable under Killian in view of Alexander and further in view of U.S. Patent 5,594,510 issued to Sakakibara which describes a method for tuning the channel of broadcasting waves and identifying channel plan by applying memorized frequency data (see Title). Accordingly, Sakakibara adds nothing to the Killian or Alexander references with regards to rendering claims 1-14 obvious which moves the Applicant to contend that claims 1-14 are allowable over Killian and Sakakibara, taken singly or in any combination.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all pending claims are allowable over the art of record. If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0388 (Order No. SUN1P273).

Respectfully submitted,
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